

Summary  
Water Pollution Control Board  
Indiana Government Center North  
Conference Room A  
Indianapolis, Indiana  
Wednesday, June 8, 2011

**1. CALL TO ORDER**

Chairman Gary Powdrill called the meeting to order at 1:30 p.m. A quorum was present.

Members present: Gary Powdrill; Dennis Wene; Ted Alexander; Ken Hedge; Dave Wagner; Pam Fisher; Mike Neyer; Mike Mettler; and Deborah Albright.

Present for IDEM: Bruno Pigott, Assistant Commissioner, Office of Water Quality (OWQ); Martha Clark Mettler, Deputy Assistant Commissioner, OWQ; MaryAnn Stevens, Rulewriter, Rules Development Section, Office of Legal Council (OLC); and, Lynn West, Rulewriter, Rules Development Section, OLC.

**2. INTRODUCTION OF BOARD MEMBERS**

Chairman Powdrill asked the board members to introduce themselves and their affiliations.

**3. APPROVAL OF SUMMARY**

Chairman Powdrill called for approval of the May 11, 2011, meeting summary. A motion was made and duly seconded to approve the meeting summary. The board voted unanimously to approve the May 11, 2011, summary without changes.

**4. REPORTS**

- Lake Nutrients – Mr. Bruno Pigott reported that the agency is working on a workgroup formation for this rulemaking.
- NPDES Permit Backlogged Report – Mr. Pigott gave an overview on the status of the NPDES Permit Backlogged Report Card.

**5. RULE ACTIONS**

LSA #11-194 Notice of Rule Review for Rules that do not expire under IC 13-14-9.5-1.1

Chairman Powdrill opened the public hearing to consider the Review of Rules that do not expire under IC 13-14-9.5-1.1. He introduced Exhibit A, List of rules that do not expire, into the record.

Ms. MaryAnn Stevens spoke for the agency. She explained the rulemaking process of the Review of Rules that does not expire under IC 13-14-9.5-1.1. Ms. Stevens essentially stated that after considering public comments, the board had to decide whether to direct IDEM to do additional rulemakings on any of the listed rules. She further said that there were no comments received.

The hearing concluded and there was no board discussion.

Chairman Powdrill entertained a motion on whether to direct IDEM to open a new rulemaking. A motion was made and seconded to take no further rule action. With a voice vote, the board voted unanimously to not ask the agency to take further action on the listed rules.

Citizens' Petition for Rulemaking under IC 13-14-8-5(b)

Chairman Powdrill opened the public hearing on a citizens' petition to amend the surface Water Quality Standards for Chloride rule. He noted that a first notice on the WQS for Chloride and Sulfate rule was published in the Indiana Register on June 1.

Prior to a request for IDEM staff to speak on the topic, Chairman Powdrill called on Mr. Bill Beranek, Indiana Environmental Institute, Inc., to speak. Mr. Beranek discussed his handout, "Indiana Surface Water Quality Aquatic Criteria for Chloride."

Thereafter, Mr. Pigott spoke for the agency. He stated that the agency had published a first notice to amend the Chloride rulemaking. He thought it would be best to form a workgroup to review the most recent scientific data that is available on the Chloride topic.

Chairman Powdrill called on the public commenters.

The public commenters were Mr. Craig Williams, representing the City of Angola; Mr. Dave Loveday, Director of Government Affairs and Communications, Water Quality Association; and, Mr. Brett Petty, Business Development, Aqua Systems.

The hearing concluded and there was no board discussion.

Chairman Powdrill announced that no board action is currently needed since IDEM has begun to address the Chloride issue by its first notice posting in the Indiana Register. He recommended that the agency put together a workgroup to proceed with the rulemaking.

#### **6. ANTIDegradation PRESENTATION**

Ms. Martha Clark Mettler presented a PowerPoint presentation on the review of the antidegradation rulemaking, "Developing Indiana's Antidegradation Implementation Rule Review of Current Draft."

#### **7. OTHER MATTERS**

Ms. Lynn West, Rulewriter, extended an open invitation to the water board members to join IDEM staff and the Solid Waste Management Board members on a Fair Oaks Tour field trip on Tuesday, September 20, 2011. She distributed to the board members maps of the field trip location.

#### **8. OPEN FORUM**

There was none.

#### **9. ADJOURNMENT**

The next meeting is tentatively scheduled for 10:00 a.m. EDT on Wednesday, July 27, 2011, in Indiana Government Center South Conference Room C. Chairperson Powdrill adjourned the WPCB meeting at 2:57 p.m.

---

**CHAIRPERSON**

The summary is derived from Rules Development Branch staff members' notes; however, a court reporter recorded this meeting. A typewritten transcript of the entire meeting is on file in the Office of Legal Counsel, Indiana Department of Environmental Management. To view approved summaries or minutes, you may go online to <http://www.in.gov/idem/4707.htm>